

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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JOHN F. RICHARDS
PLAINTIFF

VS.

MASSACHUSETTS DEPARTMENT OF,
CORRECTIONS;
UMASS CORRECTIONAL MEDICAL,
SERVICES;
KATHLEEN DENNEHY, COMMISSIONER;
CAROL MICI, ACTING SUPERINTENDENT;
MASSACHUSETTS BOARD OF REGISTRATION,
(IN MEDICINE);
M.L. ANGELES, MEDICAL DOCTOR;
KHALID MOHAMED, MEDICAL DOCTOR;
DR. CHILDS, MEDICAL DOCTOR;
ASMA AHMED, NURSE PRACTITIONER;
JANE DOE NO.-1, PHYSICAL THERAPIST.
ET;AL, DEFENDANTS,

CIVIL ACTION NO.

COMPLAINT

PARTIES

1). THE PLAINTIFF IS A RESIDENT OF MASSACHUSETTS, IS A CITIZEN OF THE UNITED STATES, AND IS AN INMATE WHO IS CURRENTLY BEING HOUSED AT THE MASSACHUSETTS CORRECTIONAL FACILITY KNOWN AS MCI-SHIRLEY (MEDIUM). A MEDIUM SECURITY CORRECTIONAL FACILITY LOCATED WITHIN THE MCI-SHIRLEY COMPLEX, IN THE COUNTY OF MIDDLESEX, AND WHOSE ADDRESS IS P.O.BOX-#1218/HARVARD ROAD, IN THE TOWN OF SHIRLEY MASSACHUSETTS. JOHN F. RICHARDS IS A NATURAL PERSON AND IS REFERED TO HEREIN AS THE PLAINTIFF, IS NOW AND HAS BEEN INCARCERATED AND UNDER THE CARE, CUSTODY, SAFETY, AND CONTROL OF ALL OF THE DEFENDANTS NAMED HEREIN, AND THEIR STAFF.

2). THE DEFENDANT, THE MASSACHUSETTS DEPARTMENT OF CORRECTIONS AT ALL TIMES MENTIONED HEREIN AS THE DOC, IS A COMMONWEALTH OF MASSACHUSETTS AGENCY THAT IS RESPONSIBLE FOR THE CARE, CUSTODY, SAFETY, AND CONTROL OF ALL PERSONS INCARCERATED THROUGHTOUT THE STATE OF MASSACHUSETTS, AND IS RESPONSIBLE FOR THE ACTIONS OF ALL OF ITS EMPLOYEES, INCLUDING BUT NOT LIMITED TO CORRECTIONAL STAFF, ADMINISTRATIVE STAFF, MEDICAL STAFF, AND/OR CONTRACT STAFF PROVIDING CARE AND/OR SERVICES TO INMATES WHO ARE HOUSED AT ITS FACILITIES, IT IS ALSO A DIVISION OF THE MASSACHUSETTS OFFICE OF PUBLIC SAFETY. IT IS BEING SUED IN ITS OFFICIAL CAPACITY.

3). THE DEFENDANT, UMASS CORRECTIONAL MEDICAL SERVICES AT ALL TIMES MENTIONED HEREIN AS UMASS MEDICAL, IS AN ENTITY OF THE UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL, AND PROVIDES ALL MEDICAL CARE AND SERVICES FOR INMATES HOUSED AT ALL MASSACHUSETTS CORRECTIONAL FACILITIES, IT IS RESPONSIBLE FOR THE ACTIONS OF ALL OF ITS STAFF, AND FOR OVERSEEING ALL MEDICAL DECISIONS MADE BY THEIR STAFF. IT IS BEING SUED IN ITS OFFICIAL CAPACITY.

4). THE DEFENDANT KATHLEEN DENNEHY, AT ALL TIMES MENTIONED HEREIN AS MS. DENNEHY, IS A NATURAL PERSON WHO IS THE COMMISSIONER OF THE MASSACHUSETTS DEPARTMENT OF CORRECTIONS, A DIVISION OF THE OFFICE OF PUBLIC SAFETY, AND A COMMONWEALTH OF MASSACHUSETTS AGENCY WHICH IS RESPONSIBLE FOR THE CARE, CUSTODY, SAFETY, AND CONTROL OF ALL PERSONS WHO ARE INCARCERATED THROUGHTOUT THE COMMONWEALTH OF MASSACHUSETTS, AND SHE IS RESPONSIBLE FOR THE ACTIONS OF ALL OF HER STAFF, INCLUDING BUT NOT LIM-

ITED TO CORRECTIONAL STAFF, ADMINISTRATIVE STAFF, MEDICAL STAFF, AND CONTRACT PERSONNEL HIRED TO PROVIDE SERVICES AND/OR MEDICAL CARE TO INMATES AT ALL OF HER FACILITIES. SHE IS BEING SUED IN BOTH HER OFFICIAL CAPACITY AS WELL AS HER INDIVIDUAL CAPACITY.

5). THE DEFENDANT CAROL MICI, AT ALL TIMES MENTIONED HEREIN AS MS. MICI, IS A NATURAL PERSON WHO IS THE ACTING SUPERINTENDENT AT THE MASSACHUSETTS CORRECTIONAL FACILITY KNOWN AS, MCI-SHIRLEY (MEDIUM). A MEDIUM SECURITY CORRECTIONAL FACILITY THAT IS LOCATED WITHIN THE MCI-SHIRLEY COMPLEX, AND WHOSE ADDRESS IS P.O.BOX-#1218/HARVARD ROAD IN THE TOWN OF SHIRLEY MASSACHUSETTS, IN THE COUNTY OF MIDDLESEX, AND SHE IS RESPONSIBLE FOR THE CARE, CUSTODY, SAFETY, AND CONTROL OF ALL PRISONERS AT HER FACILITY, AND SHE IS RESPONSIBLE FOR SUPERVISING ALL OF HER STAFF, AND SHE IS RESPONSIBLE FOR THEIR ACTIONS. SHE IS RESPONSIBLE FOR THE ACTIONS OF EVERYONE EMPLOYED AT HER FACILITY, INCLUDING BUT NOT LIMITED TO ALL CORRECTIONAL STAFF, ADMINISTRATIVE STAFF, MEDICAL STAFF AND OR OTHER CONTRACT STAFF AT HER FACILITY, SHE IS AN EMPLOYEE OF THE DEFENDANT THE DOC, AND SHE IS BEING SUED IN BOTH HER OFFICIAL CAPACITY AS WELL AS IN HER INDIVIDUAL CAPACITY.

6). THE DEFENDANT THE MASSACHUSETTS BOARD OF REGISTRATION IN MEDICINE, AT ALL TIMES MENTIONED HEREIN AS THE BOARD OF REGISTRATION, IS A COMMONWEALTH OF MASSACHUSETTS AGENCY THAT IS RESPONSIBLE FOR LICENSES AND REGULATING MEDICAL PROFESSIONALS THROUGHOUT THE COMMONWEALTH OF MASSACHUSETTS, AND IS RESPONSIBLE FOR HANDLING CITIZEN COMPLAINTS REGARDING ABUSE AN/OR

MISTREATMENT OF PATIENTS, INCLUDING INMATES WHO ARE ABUSED AND/OR MISTREATED BY LICENSED MEDICAL PROFESSIONALS, IT IS RESPONSIBLE FOR ITS ACTIONS AS WELL AS THE ACTIONS OF ALL OF ITS EMPLOYEES, IT IS BEING SUED IN ITS OFFICIAL CAPACITY.

7). THE DEFENDANT M.L. ANGELES, AT ALL TIMES MENTIONED HEREIN AS DR. ANGELES, IS A NATURAL PERSON WHO IS A MEDICAL DOCTOR WHO IS LICENSED TO PRACTICE MEDICINE WITHIN THE COMMONWEALTH OF MASSACHUSETTS, AND SHE IS AN EMPLOYEE OF THE DEFENDANT UMASS MEDICAL, SHE IS A MEDICAL DOCTOR WORKING AT THE HEALTH SERVICES UNIT AT THE MASSACHUSETTS CORRECTIONAL FACILITY KNOWN AS MCI-SHIRLEY (MEDIUM), AND SHE HAS FAILED TO PROVIDE THE PLAINTIFF WITH ANYKIND OF ADEQUATE MEDICAL ATTENTION ON NUMEROUS OCCAISIONS, SHE HAS NOT PROVIDED THE PLAINTIFF WITH A DIAGNOSIS OF HIS CONDITION, A TREATMENT PLAN FOR HIS CONDITION, HAS FAILED TO FURNISH THE PLAINTIFF WITH THE CARE AND DIGNITY THAT ALL OTHER PATIENTS THROUGHOUT THE COMMONWEALTH RECEIVE, AND HAS ACTED WITH INDIFFERENCE TOWARDS THE PLAINTIFF EVEN THOUGH THE PLAINTIFF HAS SOUGHT MEDICAL CARE FOR A LONG PERIOD OF TIME, AND ALTHOUGH THE PLAINTIFF'S CONDITION WORSENS BY THE DAY, AND SHE IS BEING SUED IN BOTH HER OFFICIAL CAPACITY AS WELL AS HER INDIVIDUAL CAPACITY.

8). THE DEFENDANT KHALID MOHAMED, IS A NATURAL PERSON WHO IS A MEDICAL DOCTOR LICENSED BY THE COMMONWEALTH OF MASSACHUSETTS TO PRACTICE MEDICINE IN THE COMMONWEALTH, HE IS AN EMPLOYEE OF THE DEFENDANT UMASS MEDICAL, AND WORKS AS A MEDICAL DOCTOR WITHIN THE MASSACHUSETTS PRISON SYSTEM, AND SOMETIMES AT THE MASSACHUSETTS CORRECTIONAL FACILITY KNOWN AS MCI-SHIRLEY (MEDIUM),

HE IS RESPONSIBLE FOR PROVIDING MEDICAL TREATMENT FOR PRISONERS INCLUDING THE PLAINTIFF, HE HAS NOT PROVIDED A DIAGNOSIS AND/OR TREATMENT PLAN FOR THE PLAINTIFF, AND HAS ACTED INDIFFERENT TOWARDS THE PLAINTIFF, AFTER SEEING HIM ON A FEW OCCAISIONS, HE IS RESPONSIBLE FOR HIS OWN ACTIONS, AND HE IS BEING SUED IN BOTH HIS OFFICIAL CAPACITY AS WELL AS HIS INDIVIDUAL CAPACITY.

9). DR. CHILDS AT ALL TIMES MENTIONED HEREIN AS DR. CHILDS, IS A NATURAL PERSON WHO IS A MEDICAL DOCTOR LICENSED BY THE COMMONWEALTH OF MASSACHUSETTS TO PRACTICE MEDICINE IN THE COMMONWEALTH, HE IS AN EMPLOYEE OF THE DEFENDANT UMASS MEDICAL, AND WORKS AS A MEDICAL DOCTOR WITHIN THE MASSACHUSETTS PRISON SYSTEM, AND SOMETIMES WORKS AT THE MASSACHUSETTS CORRECTIONAL FACILITY KNOWN AS MCI-SHIRLEY (MEDIUM), HE IS RESPONSIBLE FOR PROVIDING MEDICAL TREATMENT TO PRISONERS INCLUDING THE PLAINTIFF, HE HAS NOT PROVIDED A DIAGNOSIS AND/OR TREATMENT PLAN FOR THE PLAINTIFF, AND HE HAS ACTED INDIFFERENT TOWARDS THE PLAINTIFF, AFTER SEEING HIM ON A COUPLE OF OCCAISIONS, HE IS RESPONSIBLE FOR HIS OWN ACTIONS AND HE IS BEING SUED IN BOTH HIS OFFICIAL CAPACITY AS WELL AS HIS INDIVIDUAL CAPACITY.

10). THE DEFENDANT ASMA AHMED, AT ALL TIMES MENTIONED HEREIN AS MS. ASMA, IS A NATURAL PERSON WHO IS A NURSE PACTITIONER, WHO IS LICENSED BY THE COMMONWEALTH OF MASSACHUSETTS, AND IS AN EMPLOYEE OF THE DEFENDANT UMASS MEDICAL, SHE WORKS AS A NURSE PRACTITIONER AT THE MASSACHUSETTS CORRECTIONAL FACILITY KNOWN AS MCI-SHIRLEY (MEDIUM), AND IS IN CHARGE OF SEEING PATIENTS AT SAID FACILITY, SHE HAS NOT PROVIDED THE PLAINTIFF WITH A DIAGNOSIS AND/OR A TREATMENT PLAN EVEN THOUGH SHE HAS SEEN THE PLAINTIFF

ON SEVERAL OCCAISIONS, AND SHE IS BEING SUED IN BOTH HER OFFICIAL CAPACITY AS WELL AS HER INDIVIDUAL CAPACITY.

11). THE DEFENDANT JANE DOE NO.-1 AT ALL TIMES MENTIONED HEREIN AS JANE DOE, IS A NATURAL PERSON WHO IS A PHYSICAL THERAPIST WHO IS EMPLOYED BY THE DEFENDANT UMASS MEDICAL, SHE WAS SUPPOSED TO PROVIDE PHYSICAL THERAPY TO THE PLAINTIFF BUT FAILED TO DO SO AND HAS ACTED INDIFFERENT TOWARDS THE PLAINTIFF, SHE IS BEING SUED IN BOTH HER OFFICIAL CAPACITY AS WELL AS HER INDIVIDUAL CAPACITY.

JURISDICTION

12). THIS COURT HAS JURISDICTION OVER THIS MATTER PURSUANT TO 42 USCA §1983, AND PURSUANT TO CIVIL RIGHTS VIOLATIONS UNDER THE EIGHTH AND FOURTEENTH AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES, ITS CRUEL AND UNUSUAL PUNISHMENT AND IN RETALIATION FOR PREVIOUS COMPLAINTS OF CONDITIONS AND CONFINEMENT.

FACTS

13). THE PLAINTIFF HAS BEEN INJURED SINCE JUNE 12TH 2002, HE HAS SEEN DOCTORS, NURSES AS WELL AS PHYSICAL THERAPIST AND NURSE PRACTITIONERS FROM THIS DATE UNTIL THE PRESENT.

14). THE PLAINTIFF'S INJURY WHICH HE HAS YET TO HAVE A DIAGNOSIS AND/OR A TREATMENT PLAN FOR WAS WORSENERED WHEN HE WAS HOUSED WITH ANOTHER INMATE WHO WAS INFECTED WITH HEPATHITUS-C AND HIV. THE PLAINTIFF WAS INVOLVED IN A FIGHT WITH THIS OTHER INMATE AND AS A RESULT OF THIS ALTERCATION HIS CONDITION WORSENERED, THE PLAINT-

IFF HAS BEGGED AND PLEADED WITH ALL OF THE DEFENDANTS IN THIS MATTER TO PROVIDE HIM WITH ADEQUATE MEDICAL TREATMENT FOR HIS INJURIES BUT HIS PLEAS HAVE FALLEN ON DEAF EARS. THE PLAINTIFF HAS COMPLAINED TO THE MASSACHUSETTS DEPARTMENT OF CORRECTIONS ABOUT HIS CONDITION AS WELL AS HIS MEDICAL NEEDS, THE PLAINTIFF HAS ALSO COMPLAINED TO THE MASSACHUSETTS BOARD OF REGISTRATION IN MEDICINE AND AGAIN RECEIVED NO ASSISTANCE.

15). THE PLAINTIFF HAS BEEN TRYING SINCE JUNE OF 2002 TO GET SOME TYPE OF MEDICAL TREATMENT FOR HIS INJURIES, THE PLAINTIFF FEELS HE IS BEING MISTREATED BY THE DEFENDANTS AND THEIR STAFF FOR PREVIOUS COMPLAINTS REGARDING HIS TREATMENT. THE PLAINTIFF HAS GONE TO EVERYONE POSSIBLE TO RECEIVE SOME RELIEF FROM HIS SITUATION.

16). THE PLAINTIFF HAS RUN OUT OF OPTIONS AND PRAYS THAT THIS COURT INTERVENES OF HIS BEHALF AS SOON AS IT IS POSSIBLE. THE PLAINTIFF'S LIMBS SWELL-UP, HE IS IN CONSTANT PAIN AND AGONY, HE IS LOOSING CONTROL OVER HIS BODILLY FUNCTIONS, HAS DIFFICULTY BREATHING AND ALSO STOPS BREATHING AT NIGHT. THIS HAS GONE ON FOR OVER 2 YEARS NOW AND THE PLAINTIFF IS NOW IN FEAR OF HIS HEALTH, SAFETY, AND WELFARE AT THE HANDS OF THE DEFENDANTS AND THEIR STAFF WHO HAVE ACTED INDIFFERENT TOWARDS HIM FOR ALONG TIME NOW.

17). THE PLAINTIFF FEELS THAT THE FEDERAL COURT WILL BE THE ONLY THING THAT THE DEFENDANTS WILL LISTEN TO AND PRAYS THAT THIS HONORABLE COURT WILL STEP IN AND ORDER THE DEFENDANTS TO PROVIDE EMEDIATE MEDICAL TREATMENT FOR THE PLAINTIFF BEFORE IT IS TO LATE TO DO SO.

18). THE PLAINTIFF IS NOT SEEKING MONEY DAMAGES AGAINST THE DEFENDANTS LISTED IN THIS ACTION, HOWEVER THE COURT NEEDS TO STEP IN AND HELP THE PLAINTIFF AND ORDER AN INDEPENDANT INVESTIGATION INTO THE PLAINTIFF'S ALLEGATIONS.

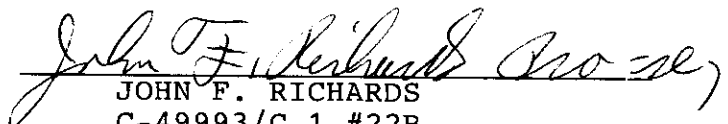
19). WHEREFORE, THE PLAINTIFF SEEKS RELIEF FROM THE COURT BY WAY OF AN ORDER FOR THE DEFENDANTS TO PROVIDE ADEQUATE MEDICAL ATTENTION TO THE PLAINTIFF.

20). THE COURT TO ORDER AN INDEPENDANT INVESTIGATION INTO THE PLAINTIFF'S CLAIMS.

21). TO PROVIDE AN ORDER OF PROTECTION TO THE PLAINTIFF AGAINST FURTHER RETALIATION BY THE DEFENDANTS AND THEIR STAFF

22). TO PROVIDE COURT COST AND FEES TO THE PLAINTIFF IF HE PREVAILS IN THIS MATTER.

RESPECTFULLY SUBMITTED,



JOHN F. RICHARDS
C-49993/C-1 #22B.
MCI-SHIRLEY (MEDIUM).
P.O.BOX-#1218/HARVARD ROAD.
SHIRLEY, MASSACHUSETTS
01464.

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